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REMARKS

Claim 1 has been amended to clarify that the outer end of the telescopically extendable inner part of the passenger bridge is movable toward and away from a wing of the aircraft. Claim 3 has been amended to add functional language to clarify that the inclination angles of each of the inner and outer parts of the passenger bridge are adjustable, for improved passenger comfort during boarding and disembarking the aircraft.

Claims 1-3 were rejected as obvious based upon the combination of the Hutton et al. '615 and the Thomas, Jr. '936 references. The present invention as claimed is clearly distinguishable over the Hutton et al. reference in that the reference shows a two-part, over-the-wing passenger bridge, but only one part of which, the outer part, is telescopically extendable. See Hutton et al., col. 7, lines 47-49, specifically disclosing "a fixed length passageway member 2," and Figures 1a, 2a, 3a, 3c, 5, 6, and 7b, each of which shows a fixed length inner passageway member. In distinct contrast, the present invention as claimed in amended claim 1 recites "a passenger bridge including a telescopically extendable inner part and a telescopically extendable outer part."

Another difference between the claimed invention and the Hutton et al. reference resides in the fact that in that reference the rotunda is stationary. See Hutton et al., col. 7, line 45, which teaches "a stationary rotunda 4." In distinct contrast, the present invention as claimed recites "a ground-mounted vertical pillar for supporting the rotunda and including lifting means to change the length of the pillar and thereby displace the rotunda in a vertical direction."

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The Hutton et al. reference thus does not disclose or suggest the invention as it is claimed in amended claim 1.

The Thomas, Jr. reference, which is directed to an entirely different problem, was cited for disclosing a rotunda including a lifting device. The lifting device is provided to move the rotunda between two vertically spaced passenger zones. See Thomas, Jr., col. 2, lines 45-49; and col. 3, lines 14-16. Significantly, however, the Thomas, Jr. reference relates to a passenger bridge having only one telescopic section – it does not disclose a bridge having both an inner part and an outer part, each of which is telescopically extendable. And that one section is not disclosed as passing over the wing of an aircraft as claimed in amended claim 1 of the present application, but, instead, is connected with an aircraft door that is located forward of the wing, as clearly shown in Figure 1 of that reference. The Thomas, Jr. reference thus is incapable of over-the-wing use, because the outermost end of the bridge includes an unidentified wheeled device, and consequently that reference does not disclose or suggest the invention as it is claimed in amended claim 1.

Claim 3 as amended clarifies the operational modes of the claimed invention and demonstrates its versatility. Neither of the references relied upon is capable of varying the inclination angles of both inner and the outer telescopically extendable parts of a two-part passenger bridge.

In view of the different problems to which the references relied upon each relate, and in view of the absence of any teaching or suggestion in the references that would lead one to combine their disclosures, there has not

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been established a *prima facie* case of obviousness based upon those references. Clearly, the references themselves contain no disclosures that would motivate one to even attempt their combination, and the examiner has not cited any such motivating disclosure in either of the references.

Additionally, it is not apparent which elements of one reference should be combined with which elements of the other reference, nor is it apparent in which way the elements are to be combined, nor is it apparent which elements are to omitted from the combination. Only by some hindsight guidance gleaned from knowledge of what is contained in the present disclosure would one even consider a combination of the disclosures of the different structures shown in the references that were relied upon, and to combine them in some particular way - the Hutton et al. reference discloses a two-part passenger bridge, but only the outer part is extendable, and the Thomas, Jr. reference discloses a one-part passenger bridge that is incapable of over-the-wing use. But it is an improper basis for an obviousness rejection to use as a road map or as a template an inventor's disclosure to aid in picking and choosing particular parts of particular references that allegedly can be combined to render obvious that which only the inventor has taught.

Although one could in hindsight assert, as the examiner has done, that it would be obvious to combine the Thomas, Jr. pillar structure with the Hutton et al. structure, such a hindsight assertion is improper. In that regard, for there to be a sufficient showing of a motivation to combine the teachings of references, that motivation must be supported by referring to some relevant and

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identifiable source of information that would provide the necessary motivation. The mere existence of particular elements in different references is not sufficient to suggest their combination in a particular way. And conclusory statements of possible advantages that might, again in hindsight, lead one to combine the teachings of several references, and assumptions of what an ordinarily skilled person would or would not do, are by themselves insufficient to support a conclusion that there exists a motivation to combine references and to do so in a particular way. Consequently, the mere after-the-fact assertion of a subjective possible convenience or advantage that might be achieved by combining the teachings of different references is insufficient to support a conclusion of motivation to combine and of obviousness of a claimed combination. Thus, the structural differences and the different problems to which the respective references are directed argue against their combination because no motivation has been shown to cause one to combine the references and to do so in a particular way.

Claims 2 and 3 each depend directly from claim 1, and therefore those claims are also distinguishable over the references relied upon and for the same reasons as are given above in connection with claim 1. Furthermore, the dependent claims include additional recitations that further distinguish the invention as so claimed from the teachings of the references.

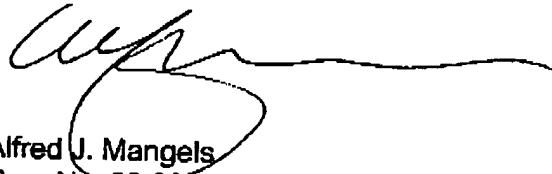
Based upon the foregoing amendments and remarks, the claims as they now stand in the application are believed clearly to be in allowable form. The claims are in definite form and they patentably distinguish over the disclosures

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contained in the references that were cited and relied upon by the examiner. Consequently, this application is believed to be in condition for allowance, and reconsideration and reexamination of the application is respectfully requested with a view toward the issuance of an early Notice of Allowance.

The examiner is cordially invited to telephone the undersigned attorney if this amendment raises any questions, so that any such question can be quickly resolved in order that the present application can proceed toward allowance.

Respectfully submitted,



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Alfred J. Mangels
Reg. No. 22,605
4729 Cornell Road
Cincinnati, Ohio 45241
Tel.: (513) 469-0470